

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**C & J ASSOCIATES PEST CONTROL, et al.,** )  
)

**Plaintiffs,** )

**v.** )

**BOB RILEY, et al.,** )

**Defendants.** )

**CIVIL ACTION NO.:  
2:06-CV-884-MEF**

**MOTION TO DISMISS**

Defendants Guardian Pest Services, Inc. d/b/a Knox Pest Control (“Knox”), and Linda Shelton (collectively, “Knox and Shelton”), in response to the Complaint filed by Plaintiff C & J Pest Control, and pursuant to Rule 12(b)(6) of the *Federal Rules of Civil Procedure*, respectfully move the Court to dismiss the claims asserted by Plaintiff against them. In support of this motion, Knox and Shelton submit contemporaneously herewith their Memorandum of Law in Support of Motion to Dismiss.

/s/ G. Lane Knight

One of the Attorneys for Knox Pest Control and  
Linda Shelton

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**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system and service will be perfected upon any CM/ECF participants electronically and I have mailed by United States Postal Service a copy of the foregoing document to any non-CM/ECF participants this the 31<sup>st</sup> day of October, 2006:

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Respectfully submitted,

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